IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

Bail Appl..No. 3070 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.2833/2007 Dated 15/05/2007
CRIME NO.82/07 OF PEERUMEDU POLICE STATION

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PETITIONERS :
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1. MURALI, S/O.CHINNASWAMI,
   PAZHYACHANTHABHAGOM,VAGAMON KARA,
   VAGAMON VILLAGE.

2. EDISON, S/O.RAJU,RUBI VILAS -DO-.

3. EBI, S/O.JOHNSON RAJ,
   DAVID BHAVAN, -DO-.

4. JOHN THALIYATH, S/O.JOHNSON,
   KALLUKATTIL HOUSE, -DO-.

5. RAJESH, S/O.RAJENDRAN,
   VARIYANIYIL HOUSE, -DO-.

6. ANISH, S/O.JOHN RAJ,
   DAVID BHAVAN, -DO-.

7. LAWARANCE, S/O.NESAMONY,
   REMYA BHAVAN -DO-.

8. SIVAN @ SIVARAJAN, S/O.CHELLAPPAN,
   PARAKETTU PUTHUVAL, -DO-.

BY ADV. SRI.S.GOPAKUMARAN NAIR

RESPONDENTS:

SUB INSPECTOR OF POLICE, PEERUMEDU
POLICE STATION, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3070 OF 2007

Dated this the 24th day of May, 2007

O R D E R

Petitioners were accused Nos.1 to 8 in Crime No.82/07 of Peerumedu Police Station for offences punishable under sections 143, 147, 148, 447, 323, 324, 325, 341, 307 and 427 read with section 149 IPC, seek their enlargement on bail. The occurrence took place at about 10 p.m. on 13.3.07 during which the defacto complainant was assaulted using iron rod, wooden stick, etc. resulting in his sustaining fracture of his right hand and other injuries including head injury. The 4th accused was arrested on 19.4.07 and the others surrendered before the Magistrate on 24.4.07 and were remanded to judicial custody.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that the petitioners are accused in six other crimes and that the fact that two crimes have been registered at the instance of the petitioners against the defacto complainant does not in any way entitle the petitioners to bail.

3. Considering the facts and circumstances of the case, I am of the view that the petitioners can be granted bail but only with effect from a future date. Accordingly, the petitioners are directed to be released on bail with effect from 11.6.07 on each of them executing a

bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Peerumedu and subject to the following conditions:

a. The petitioners shall report before the C.I. of Police, Peerumedu between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioners shall not enter the limits of the Peerumedu Police Station until further orders except for the purpose of reporting before the police.

c. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

d. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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